

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-cv-420-FDW
(3:09-cr-39-FDW-5)**

MICHAEL GREENE,)
)
Petitioner,)
)
vs.) **ORDER**
)
UNITED STATES OF AMERICA,)
)
Respondent.)
)

This matter is before the Court on its own motion, following receipt of a miscellaneous filing by Petitioner through counsel, (Doc. No. 44), in which counsel seeks expedited consideration on a prior “Request for Judicial Guidance,” (Doc. No. 39), filed on February 23, 2017, as to whether he can share a Sealed Motion in Document No. 35 with Petitioner during a prison visit scheduled for March 15, 2017.

In addressing the request for expedited consideration, the Court directs counsel to two relevant local rules of this Court. First, under the Court’s Local Rule 7.1, the Court acts only upon motions filed by the parties. The Court cannot give advisory opinions or judicial guidance. Next, under Local Rule 6.1, a party must file a motion to seal any document, separate and apart from the motion sought to be sealed, and the motion to seal and the reasons stated in Local Rule 6.1 must be given. Furthermore, under Local Rule 6.1(B), “no materials may be filed under seal except by Order of the Court, pursuant to a statute, or in accordance with a previously entered

Rule 26(e) Protective Order.” When filing and docketing the motion in Docket No. 35 as “sealed,” counsel did not file his motion to seal in accordance with Rule 6.1.

Signed: March 10, 2017



Frank D. Whitney
Chief United States District Judge